

BOARD MEETING MINUTES

**JULY 26 & 27, 2001
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
THE WESTIN HOTEL, LOS ANGELES
5400 WEST CENTURY BLVD
LOS ANGELES, CALIFORNIA
(310) 216-5858**

Thursday, July 26, 2001

BOARD MEMBERS PRESENT: Vincent DiTomaso (President), Millicent Safran (Vice-President), James Foley, Andrew Hopwood, Gregg Brandow, Stephen Lazarian, and David Chen.

BOARD MEMBERS ABSENT: Kathryn Hoffman

BOARD STAFF PRESENT: Cindi Christenson (Executive Officer), Gary Duke (Legal Counsel), Susan Ruff (Liaison Deputy Attorney General), Nancy Eissler (Attorney General Liaison Analyst), David Brown (Special Assistant to the Executive Officer), Cindy Morris-Hoppe (Executive Analyst), Janece Sargis (Examination Analyst), and Debbie Thompson (Budget Analyst)

PUBLIC PRESENT: SEE ATTACHED

1. Incoming President takes office

Vincent DiTomaso took office as the President of the Board.

2. Roll Call to Establish a Quorum

The meeting was called to order by President DiTomaso at 9:50 a.m. Roll call was taken, and a quorum was established.

3. Public Comment

Eugene Weatherby, representing CELSOC, addressed the Board regarding the proposed Code of Professional Conduct language. He indicated that CELSOC appreciated that some of its concerns had been addressed in the second draft and hoped that the others would be addressed in future drafts.

4. Hearing on the Matter of the Petition for Reinstatement of Revoked License of Mohamed Ganaba (OAH #2001060535)

The Board held a hearing on the matter of the petition for Mr. Mohamed Ganaba.

5. Closed Session

The Board went into closed session at 11:30 a.m.

6. Open Session to Announce the Results of Closed Session

Ms. Christenson reported that the Board discussed pending litigation as noticed.

Ms. Christenson also reported that the Board approved the cutscore of 451 points out of possible 975 points for the April 2001 Land Surveyor examination and approved the results of those candidates who previously passed the 8-hour section of the Professional Engineering examination, but had not returned their take-home examination.

7. a Approval of the Minutes of the June 7 & 8, 2001 Board Meeting and the June 28, 2001 Teleconference Board Meeting.

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the minutes of the June 7 & 8, 2001 Board Meeting and the June 28, 2001 Teleconference Board Meeting.

VOTE: 7-0, motion carried

7. b Approval of Consent Items

MOTION: Mr. Lazarian/Mr. Hopwood moved to approve for licensure those applicants who passed the April 2001 Land Surveyor Examination.

VOTE: 7-0, motion carried

MOTION: Mr. Lazarian/Mr. Hopwood moved to approve for licensure those examinees considered in closed session who

previously passed the 8-hour section of the indicated examination(s), but had not returned their take-home examinations.

VOTE: 7-0, motion carried

8. Approval of Delinquent Reinstatements

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the Delinquent Reinstatements as follows:

Civil

1. Eric Tsou

Reinstate applicant's civil license once he takes and passes the Seismic Principles Examination, the Engineering Surveying Examination, the Board's Laws and Rules Examination, and pays all required delinquent renewal fees.

Industrial

1. William C. Moxley

Reinstate applicant's industrial license once he takes and passes the Board's Laws and Rules Examination.

Mechanical

1. Vane Q. Bates

Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules Examination.

2. Keith G. Newman

Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules and pays all required delinquent renewal fees.

3. Andrew D. Zalay

Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent renewal fees.

VOTE: 7-0, motion carried

9. Comity and Temporary Authorization Applications

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve for licensure the comity applicants listed on pages 47 & 48 of the board agenda.

VOTE: 7-0, motion carried.

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the following Chemical applicant for licensure by waiving the second division examination (NCEES Chemical Engineering examination) because the applicant has the appropriate experience, has taken and passed both an 8-hour NCEES EIT examination, and an 8-hour NCEES PE examination, has taken and passed the take-home examination, and is licensed in an other state.

1. Thomas M. Flynn

VOTE: 7-0, motion carried

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the following Civil applicant for licensure by waiving the second division examination (NCEES Civil Engineering examination) because the applicant has the appropriate experience, has taken and passed the 16-hour NCEES Structural I and II examinations, is licensed in another state, and has passed all other required examinations (take home, Seismic Principles, and Engineering Survey examinations)

1. Ward Helm

VOTE: 7-0, motion carried

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the following Civil applicant to set for the Seismic Principles and Engineering Surveying Examinations and waive the second division examination (NCEES Civil Engineering examination) because the applicant has the appropriate experience, has taken and passed an 8-hour NCEES examination, and is registered in another state. In order to obtain registration, the applicant must still take and pass the Seismic Principles, Engineering Surveying, and Take Home Examinations.

1. Jerold Bishop

VOTE: 7-0, motion carried

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the following Civil applicant to set for the Seismic Principles and Engineering Surveying Examinations and waive the second division examination (NCEES Civil Engineering examination) because the applicant has the appropriate experience, has taken and passed an 8-hour engineering examination, and is registered in another state. In order to obtain registration, the applicant must still take and pass the Seismic Principles, Engineering Surveying, and the Take Home examinations.

1. Vern Wiltse

VOTE: 7-0, motion carried

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the following Civil applicant to set for the Seismic Principles and Engineering Surveying Examinations and waive the second division examination (NCEES Civil Engineering examination) because the applicant has the appropriate experience, has taken and passed an 8-hour NCEES Structural I examination, and is registered in another state. In order to obtain registration, the applicant must still take and pass the Seismic Principles, Engineering Surveying, and the Take Home examinations.

1. William Steele

VOTE: 7-0, motion carried

MOTION: Mr. Hopwood/Mr. Lazarian moved to approve the following Electrical applicants for licensure by waiving the second division examination (NCEES Electrical Engineering examination) because the applicants have the appropriate experience, have taken and passed both an 8-hour NCEES EIT examination, and an 8-hour NCEES PE examination, are licensed in other states, and have taken and passed the take-home examination.

1. Randall M. Connett

2. **S. M. Fisher**
3. **John I. Klocke**
4. **Thomas L. Mallinger**
5. **Thomas A. Molnar**

VOTE: 7-0, motion carried

MOTION: Mr. Foley/Mr. Hopwood moved to approve the following Mechanical applicants for licensure by waiving the second division examination (NCEES Mechanical Engineering examination) because the applicants have the appropriate experience, have taken and passed both an 8-hour NCEES EIT examination, and an 8-hour NCEES PE examination, are licensed in other states, and have taken and passed the take-home examination.

1. **Bihari R. Desai**
2. **Randall A. Feravich**
3. **Michael Gerazounis**
1. **John R. Mills**
2. **Chris R. Rogers**
3. **Michael K. Yates**

VOTE: 7-0, motion carried

MOTION: Mr. Hopwood/ Dr. Brandow moved to approve the following Civil applicant to set for the Seismic Principles and Engineering Surveying Examinations and waive the second division examination (NCEES Civil Engineering examination) because the applicant has the appropriate experience, has taken and passed an 8-hour NCEES examination, and is registered in another state. In order to obtain registration, the applicant must still take and pass the Seismic Principles, Engineering Surveying, and Take Home Examinations.

1. **Michael Blankinship**

VOTE: 6-1, motion carried. Ms. Safran, nay

MOTION: Mr. Hopwood/Dr. Brandow moved to approve the temporary Civil license for Mr. Timothy Pillsbury for 180 days. Mr. Pillsbury will notify the Board within 2 weeks as to when he wants the 180 days to start.

VOTE: 7-0, motion carried

MOTION: Mr. Lazarian/Ms. Safran moved to approve the temporary Land Surveyor license for Mr. William C. Stampados for 180 days. Mr. Stampados will notify the Board within 2 weeks as to when he wants the 180 days to start.

VOTE: 7-0, motion carried

10. Examinations/Qualifications

1. Licensure Status of Temporary Licensees (Possible Action)

Ms. Christenson reported that the Board has granted temporary licensure to 16 individuals with one individual obtaining temporary licensure in two disciplines. Three individuals have received a permanent license; two individuals advised the Board that they did not desire to become permanently licensed in California and, thus, never applied to take the examinations for licensure; three individuals signed up to take the examination but were "no shows" for the examination they were assigned to; two individuals took the special civil examinations and failed one section; and six individuals have applied to take the October 2001 special civil examinations.

President DiTomaso requested that this issue be discussed at future Examinations/Qualifications Committee meetings.

11. Administrative

1. Fund Condition (Possible Action)

Ms. Thompson reported on this item with an update to the Board on changes that have occurred to the Fund Condition since the last Board meeting.

Ms. Thompson reported that the total revenue for FY 2000/01 as of May 31, 2001 (excluding the General Fund Transfer Reversal of \$940,672) is \$5,593,147, approximately 2% more than the total revenue received in FY 1999/00 at this time.

2. FY 2000/01 Budget (Possible Action)

Ms. Thompson reported that a surplus of \$14,616 is projected. Projections increased significantly for Expert Examiners and Exam Contracts.

3. FY 2001/02 Budget (Possible Action)

Ms. Thompson reported that an excess of \$35,524 over expenditures is projected for FY 2001/02.

4. FY 2002/03 Budget Change Proposals (Possible Action)

Ms. Thompson reported that Board staff met with Ms. Hoffman and President DiTomaso to review and approve the BCP's before they were submitted to the State and Consumer Services Agency. Changes suggested by both have been incorporated and the BCP's have been submitted to DCA for review.

5. Outreach Efforts (Possible Action)

Ms. Thompson reported that two Enforcement Outreach meetings had been held and would be reported on at the Enforcement Committee meeting.

Ms. Thompson recommended that the outreach reports be presented in the appropriate committees, such as College Outreach at the Exam/Qual Committee and Enforcement Outreach at only the Enforcement Committee.

President DiTomaso directed that the College Outreach reports be reported at the Exam/Qual Committee and include specific information like the Enforcement Outreach reports at the Enforcement Committee.

12. Legislative

1. Pending Legislation for 2001 Legislative Session, including, but not limited to: SB 26 (Figueroa), SB 136 (Figueroa), SB 771 (B&P), SB 1045 (Polanco), AB 269 (Correa), AB 805 (Shelley), and others. (Possible Action)

Mr. Brown reported on this item.

Mr. Brown provided the Board with the legislative action dates for the rest of the current session. The legislature is currently in summer recess, returning August 20, 2001.

Mr. Brown gave updates to legislative bills of interest to the Board. Mr. Brown reported that SB 26, the bill in use to extend the Title Act Study due date from 9/1/01 to 9/1/02 was sent to the Senate Inactive File. Ms. Christenson and Mr. Brown had met with Bill Gage concerning the Title Act Study and were advised that due to the controversy with the Dental Board language in the same bill, that he would need to find a different bill to put the Title Act due date extension. Mr. Brown advised the Board that the language in SB 662 had been amended per the Board's request and asked for a motion to change the Board's current "oppose unless amended" position.

MOTION: Ms. Safran/Mr. Lazarian moved to "drop opposition of SB 662 and direct staff to send letter to author stating position".

VOTE: 7-0, motion carried.

Mr. Brown provided the new amended language for SB 771, previously on "watch" status by the Board. This bill had clarified language for the Architects and Contractors Boards. The new amended bill, now requires the Department of Consumer Affairs to maintain a "do not call" telephone list of telephone subscribers who do not want to receive unsolicited and unwanted telephone calls from telephone solicitors. The amended version no longer has an impact to the Board and is an example of a completely gutted bill. Mr. Brown reported on AB 267, construction defects, which is scheduled for the Senate Judiciary Committee on August 21, 2001. This bill will be added to informational bills, in conjunction with SB 355.

13. Technical Advisory Committee Reports (Possible Action)

- a. Land Surveying (no meeting)
- b. Civil/Geotechnical Engineering (no meeting)
- c. Mechanical Engineering (no meeting)
- d. Electrical Engineering (no meeting)
- e. Structural Engineering (no meeting)

No reports given.

14. Liaison Reports (Possible Action)

- a. ABET

Mr. Brown reported that staff is still in the process of getting information on the schools and dates for this year.

b. NCEES

1. Annual Meeting-Little Rock, Arkansas (August 1-4, 2001)

Ms. Christenson reported that the NCEES Annual Meeting will be held August 1-4, 2001, in Little Rock, Arkansas. Attendees will be President DiTomaso, Ms. Safran, Dr. Brandow and Ms. Christenson.

Ms. Christenson also reported that Ted Fairfield, past Board Member, will also be present and will take over as President of NCEES at this meeting.

MOTION: Dr. Chen/Mr. Foley moved to authorize President DiTomaso, Ms. Safran, and Dr. Brandow to vote on behalf of the Board at the NCEES Annual meeting.

VOTE: 7-0, motion carried.

c. Technical and Professional Societies

15. President's Report

No report given.

16. Executive Officer's Report

1. Administration Report

a. Executive Summary Report

Ms. Christenson reported on the Executive Summary Report.

2. Personnel

a. New Hires & Vacancies

Ms. Christenson reported that there have been no changes.

3. Publications/ Website

a. Website Activity

No Report Given

b. Bulletin

Ms. Christenson reported that the Bulletin was released two weeks ago.

c. Consumer Guide

Ms. Christenson reported that the Consumer Guide is being worked on.

4. Other

a. DCA Update

Ms. Christenson reported that Pam Rivette, who had been overseeing the Title Act Study, had been appointed Bureau Chief of Home Furnishings and Thermal Insulation. We do not yet know who will be taking her place with regards to the Title Act Study.

Ms. Christenson updated the Board on the status of the Title Act Study.

17. Approval Of Board Travel (Possible Action)

No action taken on this item

18. Other Items Not Requiring Board Action

a. Next Board Meeting: September 6 & 7, 2001, DoubleTree Hotel, Burlingame, California.

President DiTomaso directed the Examination/Qualification committee to look at the delinquent process. Specifically those who have been delinquent a long time.

19. Adjourn

The Board adjourned at 4:10 p.m.

PUBLIC PRESENT

Eugene Weatherby, CELSOC
Steve Hao, CalTrans
William Stampados, Rio Tel
Art Sutton, CSPE
Tim Pillsbury, Utility Engineering
Dale Jensen, JENTEC
Dan May, CLSA

